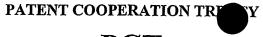
Translation





PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PC 03 298 B	FOR FURTHER ACTION See 1	Notification of Transmittal of International inary Examination Report (Form PCT/IPEA/416)						
International application No.	International filing date (day/month/ye							
PCT/EP2003/008842	08 August 2003 (08.08.2003	22 October 2002 (22.10.2002)						
International Patent Classification (IPC) or no E03C 1/086	ntional classification and IPC							
Applicant	NEOPERL GMBH	·						
 This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. This REPORT consists of a total of6 sheets, including this cover sheet. 								
2. This REPORT consists of a total of	sneets, including this co	ver sneet.						
amended and are the basis for	d by ANNEXES, i.e., sheets of the describing rect this report and/or sheets containing rect administrative Instructions under the PC	ription, claims and/or drawings which have been ifications made before this Authority (see Rule IT).						
These annexes consist of a total	ofsheets.							
3. This report contains indications relati	ng to the following items:	·						
[Basis of the report								
II Priority								
III Non-establishment of	opinion with regard to novelty, inventiv	e step and industrial applicability						
IV Lack of unity of inver	ntion .							
V Reasoned statement u citations and explanat	nder Article 35(2) with regard to novelty ions supporting such statement	, inventive step or industrial applicability;						
VI Certain documents cit	ed							
VII Certain defects in the	VII Certain defects in the international application							
VIII Certain observations on the international application								
Date of submission of the demand	Date of completion	Date of completion of this report						
15 January 2004 (15.01.2	004)	5 March 2005 (16.03.2005)						
Name and mailing address of the IPEA/EP	Authorized officer							
Facsimile No.	Telephone No.							

INTERNATIONAL ALLIMINARY EXAMINATION REPORT

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PCT/EP2003/008842

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: III.1

1.1 The present examination report refers only to the main request, a possible examination of the auxiliary request cannot be carried out in the course of the PCT procedure but only during a subsequent regional phase.

Statement			
Novelty (N)	Claims	8	YES
	Claims	1-7, 9-14	NO
Inventive step (IS)	Claims	8	YES
	Claims	1-7, 9-14	NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

Citations and explanations

Reference is made to the following documents:

D1: US-A-2002 007 94 71

D2: CH-A-380 042.

1 INDEPENDENT CLAIM 1

1.1 Document D1 discloses (the reference signs and references relate to document D1):

a sanitary outlet fitting 200 having a fluid guide which discharges into a fitting outlet (see figure 1) near which a sanitary functional unit in the form of an insertable cartridge (see paragraph [0019]) is provided, wherein at least in the area of the opening of the outlet fitting the inside diameter of the fluid guide is adapted to the insertable cartridge (see figures 1, 11 and 12) and the insertable cartridge can be inserted into the fitting outlet from the opening side and can be removably held therein (see paragraph [0032]), and wherein the insertable cartridge is radially sealed along the periphery relative to an intermediate support 110 (seal 9, see figure 2; paragraph [0024]:

"The sealing ring 9 is mounted at the recess 17 of the valve seat 1 ...") and/or the intermediate support is radially sealed relative to the inner peripheral side of the fitting outlet (see figure 11, the upper part of the thread 111 is a seal which is screwed into the fitting outlet and thereby radially seals the intermediate support relative to the side of the fitting).

Consequently, the present application does not meet the requirements of PCT Article 33(1), because the subject matter of two variants of claim 1 is not novel within the meaning of PCT Article 33(2).

2 INDEPENDENT CLAIM 14

2.1 Document D1 further discloses a sanitary functional unit designed to be housed in an outlet fitting according to claim 1.

Claim 14 is therefore likewise not novel (PCT Article 33(2)).

3 DEPENDENT CLAIMS

3.1 The following dependent claims contain no features, which, combined with the features of any claim to which they refer, meet the PCT requirements for novelty and inventive step (see the documents cited and the corresponding passages specified in the search report: D1, claim 2 (see figure 3: outlet 100, insertable cartridge 1), claims 3, 4, 5, 6, 7, 9 (engaging hook 16), claims 12 and 13 (see figure 11: upper part of the thread 111); D2: claims 10 and 11.

, ,

- 3.2 The combination of features in dependent claim 8 is not known from or suggested by the available prior art.
- 3.3 The reasons are as follows:

To obtain the claimed function of the seal, that is to say, not to create a friction fit when the insertable cartridge is inserted into the fitting, the seal must be disposed at the outflow end of the insertable cartridge. This is not possible with the insertable cartridge of document D1 because water would flow out of the connecting holes for the fingers 16. Moreover, a person skilled in the art would not provide the intermediate support in document D1 with a seal of this kind because the thread receives the entire part insertable into the outlet and a seal in this area would weaken the connection.

Consequently, a person skilled in the art would not modify the device according to document D1 so as to arrive at the device according to claim 8 without thereby being inventive.